1878
(L.R.)

File No. 10
Serial No. 1.

Sub:- Restoration to Amildars and deputy Commissioners of their original powers of distraint and Sale.

G. R. S. IX-5]

Previous references. 1878

~~191~~ .

(L. R)

File No. 10

Serial Nos. 1

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1.

all. ~~Part~~ B for

SUBJECT.

Restoration to Amildars and Deputy Commissioners of their original powers of distraint and sale.

Indexed

Mirza Nazeer Hussain

W D 88—GPB—50,000—24-7-16

No 179.

Memo

Nagpur Comrs' No 281/68 dy 2nd July 1878 in regard to the restoration to Landholders & Dfdrs of their original powers of distraint & Sale.

In this Office Proceedings No 1989 of 18 July 1873 Distt Offrs were authorized to distrain & sell, at discretion, either the landed or movable property of a revenue defaulter without the sanction of higher authority.

Vide page 97 of the Revenue Manual.

2 In para 3 of the Cir pro No 8389/32 dy 26 Dec last, it was ruled

that no sales of personal effects shall take place except under the orders of the Dy Com^r and no sale of landed rights and interests without the sanction of the Chief Com^r.

3. In continuation of the above order Com^rs of Div^ns are informed, in para 4 of their Circular of 14 Jany 1878, that the authority conveyed to Distt Offrs to obtain sale of landed property, in the order of 18th July 1873, was withdrawn.

4 In para 9 of the Ord No 176 of 12 April last, Dist Offrs were informed that when once the Jamabandi was concluded there shd be no delay in enforcing the collections, avoiding distress only in cases of real hardship.

5 In a subsequent order, No 2147 of 22 June 78, the necessity for the prompt enforcement of the public demand in the case of those who were clearly able to pay, was urged, adding that in such case the land may be attached and sold with the sanction of the Court of the Dist who will report such

Thus the old system of the Court of Enquiry reverted to

4

Sanctions after the information of the Chosen —

6. In para 5 of his letter No 176 dt 1st June/78 the Naval Com Enquired whether the orders contained in Tel: No 170 dt 12 addressed were intended to restore to Annuldars & Jaghirdars their respective powers of dismissal which were suspended by the orders of 26 Dec & 14th Jany last — In reply he was referred to the instructions conveyed in the order of 22nd June

× in this Tel No 1030 dt 29 June/78 para 2

7. In this letter the Naval Com also submits orders on para 5 of his letter of 1 June quoted above. The Naval Com No 2814/68 dt 22 Aug/78.

8. The letter of 2nd July was apparently written by the Commr before he received this office No 1450 of 29th ultimo — 21 H may, therefore, be filed —

9. I anticipate there will be some delay & difficulty in collecting the revenue so long as the Dy Comrs cannot sanction the sale of lands as before.

C. P. Thumboo Q
9/7/78

I have advocated the payment, to Lestrahin of their pension & Dep Commission. Indeed, except in the Bangalore Dist, where Cap Cumming delegates his proper authority to others, I have never known, that till now any application has been refused & withdrawn when forwarded for the Dep Comr. Mr Saunders has urged me to do so & Mr Elliot the Manager for the Mahratta Company & Mr Nolan in the Bangalore Dist[illegible] Mr Elliot, &

6

far as I think it that the Govt has not
sufficiently used
In his order of 22
June, Sir John relaxed
them only so far as to
give his power of dismissing
Sales, to his Commr of
Divn - I think that
in a short time, the
Captain will see fit
to remove the restrictions
altogether

W. J.

Personally I concur with the Secty. The case of Mahi
The Case of 26 &c. empowering a special procedure
for special times had we
carried the deliberate
sanction & approval of
the Govt of India made
the heartate until times
are changed to revise
its provisions in this
important particular.
I have now modified
it & I hope shortly
I may be able to
restore the powers

9

7

to the status quo.
till further orders
the Circ of 22nd June
must be acted on.
The sanction need not
involve much delay.
if judiciously worked.

HBL
11/7

No 297

Memo

In his letter No 428/120
dated 3rd September/78
the Commr of Customs
reports as follows the result of
his enquiries during his
visit to Hassan for session

Regarding the collections in Chendragiripatna, Attibele and Kaspan especially with reference to the large balances outstanding in the latter Taluk

In 1880 R-179

11. It would appear that the total amount of outstanding balances to be collected in this Taluk on the 11th of May 1878 was Rs 21782-9-5; of which Rs 3095-1-11 or nearly 15 per cent was collected up to the 19th of August 1878 at an average of Rs 2814 in each Hobli leaving still a large balance of Rs 18682-7-6 on the 20th August 1878 (as per statement submitted)- The balance in each Hobli varied from Rs 2482-7-4 to Rs 28120-11-4 and the average of defaulters in each Hobli to be 10-

× Comd 18682-7-6.

This unsatisfactory state of things, says Col Hay, is attributed by the Taluk officials to several causes, among which are dilatoriness on the part of Shanbogs and Shekdars - the inequality of the Shanbog's charges and the unmanageable size of some of them; death or absence of many of the Fathes, Kool vadies and the delay in attaching and selling the moveable property of defaulters in consequence of the necessity of referring to the Dy Commr for sanction - In illustration, the Col Hay mentions that the Cutchah Shanbog of Rapan who is in charge of villages has collected 100 Rs in pi

date and has to collect
about Rs4000 from 600 Puttadars
residing in different places.
In 4 villages there are, it
seems, no Kodvadies and
those of two others are
attached to the Relief
Camp at Hassan, while
in the remaining villages
some of the Jotis and
Kodvadies are absent or
perfectly indifferent to
their duties, at the same
time, it is said, that sufficient
measures have not been
taken to collect the
Revenue from parties well
able to pay up. Col. Key
forwards a memo of notes
taken by him at Hassan
regarding the condition of
a few defaulters, shewing
that a large number of

well-to-do persons owe sums which should have been paid some 18 months ago. It is said that one reason in serving notices owing to the want of Jotis and Kolvadis, and there is a good deal of truth in this as well as in the statement that the Amildars have not had time to inquire into the merits of individual cases. The result is that a number of persons perfectly able to pay up have been allowed to evade payment and it is further known both that the Shanbogs have retained money in their hands without remitting it and in many cases have embezzled sums

paid in full to Rights
who have since died
or gone away. The arrears
are so large that the
Amildar scarcely gives
sufficient time to make
the necessary enquiries and
take steps for enforcing
payment, when it should
be done and after consulting
Captain Wratthy, the Comm.
Considers some special
arrangements are necessary
for the investigation and
for the speedy realisation
of the recoverable balance
12. The best way of meeting
the case seems to Col. Hay
to detail a Peishkar or
Sheristedar for this particular
duty and he has in
anticipation of the Chief Comm's
sanction authorized the

the Dy Comm^r of Kaspan
to transfer the
Ramjasabas Peishkar to
Kaspan and place him
temporarily in charge of
half the taluk to be
employed exclusively in
the duty of collection, the
other half being assigned
to the permanent Peishkar
The Comm^r further requests
sanction for the entertain=
=ment of 4 process peons
for each taluk at 5 Rupees
monthly each, the cost
of which being defrayed
from the Process fees and
recommends that Cumbum
may be vested with
the power of attaching and
selling up to the value of
Rs 10. the moveable property
of defaulters considered
capable of paying the

Cut^d for approval
BH 15
by sanctioned
BG

May this be
sanctioned?
BH
by sanctioned
BG

Please see CC^r
proc: 7/18 Jan^y 1875
printed at page
97 of the Rev Manual
BH
This Order confers such powers
as Dep Comm^r are by

Govt demand 1-4 Col:
Kays also suggests that
that the measures now
recommended may be
tried for a month in the
Kasaba Taluk and
the result reported before
applying them to other
Taluks - It is said
that it is not necessary
to detail any superior
officials to the Taluks
of the Mysore Dt but
the Dy Comm has applied
for 37 extra peons for a
period of 2 months for
the marginally noted
Taluks.

86

Put up for sanction
Dy.
I am inclined to think
as the absconding
Superveyors should
be sent up on the
authority, there is dep
of Rs 10 or less. The
power will be merely
superior against the
humble class whose
chief delinquency will
perhaps set off if
I cannot sanction this
Dy

1 Mysore
2. Periapatam
3 Yedatoré
4 Heggadevancoté
5 - Nanjangud
6. Krishnaraja

Dy for sanction
9

13. As regards the
Extra peons req[d] for
the Mysore Dt. it is
presumed their pay
will be met out of the
process fees as in the
case of Nagar Dt - the

Comr does not say
whether he recommends
the entertainment of the
7 peons or not —

14 As prospects have
considerably improved
I think the portn
of customary sales
of landed property
may be restored to
Dy Comrs —

Chd Thornhill
Asst Sec. Govt 7/9/28

Some papers came before
me recently which com-
pelled me to pronounce
the proceedings of the Dep. Comr
of Chittledroog last year
(Major Armstrong) as
harsh & merciless in
the matter of the sale
of land of ryots. —
I think there is nothing
to call for any alteration
in the orders of 22nd June

Eventually he does
pay may be entertained if necessary.
DG

last at present. But now that good crops are coming in the Dep. Comm^rs & Amildars should take steps to collect an instalment of the arrears due. I cannot yet give authority to Amildars to sell up even moveable property of small value. If the Dep. Comm^rs exert themselves & go themselves into the Talookas most in arrears, and and the Amildars, seeing that no man who is really poor is harrassed but that those who can pay are made to pay we shall soon make up preacable advances in the collections without any hardship. I see it stated that many of the defaulters are Govt servants. This is intolerable. Let the Dep Comm^rs be told to place out of employ and report the names of every Govt servant who within 3 weeks of the receipt of this order by the Dep. Comm^r shall not have paid his arrears of Revenue. — The Dep. Comm^rs should give the widest publicity to my determination to visit with severe punishment every such Govt servant: I think the Dep. Comm^rs BG besides suspending 12/9 & reporting defaulting Govt servants should retain any salary that may be unpaid to such Govt servants —

Sec 2 No 1359.

G 688 1878.

0.1453.

36.

From The Commissioner

To Nagar Dt

Secretary to Chief Commissioner,
General Department.

Section A. B. Dated 2 d

File No 10-78 Despatched 3 d

Serial No 1 Received 6 July

ENCLOSURES NO. -

General No. 281 } 1878—79.
Rel. No. 68 }

In acknowledging the receipt of the Chief Commr's Proceedings No 2167/17 dated 22d Ultimo, has the honor to state that the falling off in the collections of the Chitaldrug District is partly due to the cause explained in para 4 of this office letter No 176/35 of the 1st June 1878, and solicits the Chief Commissioner's early orders on the point adverted to in para 5 of that letter namely

the restoration to Auckland and
Deputy Commissioners of their
original powers of distraint &
sale.

Commissioner

DPG.